



# Metropolitan Water Reclamation District of Greater Chicago Meeting Minutes Committee of the Whole

100 East Erie Street  
Chicago, IL 60611

*Commissioner Frank Avila, Commissioner Patricia Horton, Chairman of Finance Gloria Alitto Majewski, Commissioner Barbara J. McGowan, Vice-President Kathleen Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien*

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Thursday, October 21, 2010

10:05 AM

Board Room

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## Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:20 a.m.

## Roll Call

**Present:** 9 - Frank Avila; Patricia Horton; Gloria Alitto Majewski; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

## Finance Committee

### Report

- 1     [10-1228](#)     Report on Cash Disbursements for the Month of September 2010, in the amount of \$69,440,393.51  
  
         **Attachments:**     [10-1228 September 2010 Disbursement Report](#)  
  
         Recommended
- 2     [10-1278](#)     Report on investments purchased during September 2010  
  
         **Attachments:**     [Inv Purch 2010-09 att.pdf](#)  
  
         Recommended
- 3     [10-1279](#)     Report on the investment interest income during September 2010  
  
         **Attachments:**     [Inv Int Inc 2010-09 att.pdf](#)  
  
         Recommended

- 4      [10-1280](#)      Report on investment inventory statistics at September 30, 2010

**Attachments:**      [Inv Stat 2010 Q3 Inv.pdf](#)  
                                 [Inv Stat 2010 Q3 Fin Mkt.pdf](#)

**Recommended**

**Authorization**

- 5      [10-1308](#)      Authority to execute agreements with Chapman and Cutler LLP as Lead Bond Counsel, Special Tax Counsel, and Disclosure Counsel, and with Gonzalez, Saggio & Harlan, L.L.P., as Co-Bond Counsel, in an amount not to exceed \$359,000.00, in connection with the sale of up to a total of \$500,000,000.00 of General Obligation Capital Improvement Bonds, Limited Tax Series of 2010, of the Metropolitan Water Reclamation District of Greater Chicago

**Recommended**

**Procurement Committee**

**Report**

- 6      [10-1234](#)      Report of bid opening of Tuesday, October 5, 2010

**Recommended**

- 7      [10-1233](#)      Report of bid opening of Tuesday, October 12, 2010

**Recommended**

**Authorization**

- 8      [10-1229](#)      Authorization to amend Board Order of October 7, 2010, regarding authority for award Contract 10-771-11, Underground Infrastructure Cleaning in the North Service Area, to Sheridan Plumbing and Sewer, Inc., in an amount not to exceed \$198,598.45.00, Account 101-67000-612600, Requisition 1301534, Agenda Item No. 25, File No. 10-1104

**Recommended**

- 9      [10-1285](#)      Authorization to Participate in the Midwestern Higher Education Compact, under the Illinois Compiled Statutes, Chapter 45, Interstate Compacts 45 ILCS 155/ Midwestern Higher Education Compact Act.

**Recommended**

- 10      [10-1303](#)      Authorization to amend Board Order of January 7, 2010, regarding authority to advertise Contract 10-678-11, Locksmith Services at Various Service Areas, estimated cost \$129,000.00, Accounts 101-67000/68000/69000-612680, Requisitions 1289895, 1289960, 1289968, 1289983, 1290641 and 1293015, Agenda Item No. 9, File No. 09-1888

**Recommended**

- 11      [10-1305](#)      Authorization to amend Board Order of September 2, 2010, regarding issue purchase order for Contract 10-678-13, Locksmith Services at Various Service Areas, Group C, to Fullmer Locksmith Service, Inc., in an amount not to exceed \$39,000.00, Account 101-67000-612680, Requisitions 1289960, 1289968, 1289983 and 1290641, Agenda Item No. 11, File No. 10-1009

**Recommended**

- 46      [10-1284](#)      Authorization to amend Board Order of September 16, 2010, regarding authority to increase purchase order and amend the agreement with Deutsch, Levy & Engel, LLC for legal services in representing the District in an environmental remediation action against Nicor/ComEd for District property at Oakton Street and McCormick Boulevard in Skokie, Illinois, in an amount of \$85,000.00, from an amount of \$426,380.34, to an amount not to exceed \$511,380.34, Account 101-30000-601170, Purchase Order A84545, Agenda Item No. 13, File No. 10-0721

**Recommended**

#### **Authority to Advertise**

- 12      [10-1231](#)      Authority to advertise Contract 11-021-11 Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period, estimated cost \$359,000.00, Accounts 101-20000, 66000-623820 Requisition 1312964

**Recommended**

- 13      [10-1237](#)      Authority to advertise Contract 11-002-11 Furnish and Deliver Cylinder Gases to Various Locations for a One (1) Year Period, estimated cost \$53,500.00, Account 101-20000-623840

**Recommended**

- 14      [10-1238](#)      Authority to advertise Contract 11-101-11 to furnish and deliver work uniforms for environmental specialists, patrol boat operators and pollution control technicians, estimated cost \$49,800.00, Account 101-16000-623700, Requisition 1313274

**Deferred by Patricia Horton to the Afternoon Session**

- 15      [10-1247](#)      Authority to advertise Contract 11-809-11 Furnishing and Delivering Unleaded Gasoline and Diesel Grade Fuel Oil to the Prairie Plan Site in Fulton County, Illinois, estimated cost \$70,000.00, Account 101-68000-623820, Requisition 1307556  
  
                 **Recommended**
- 16      [10-1248](#)      Authority to advertise Contract 11-041-11 Furnish and Deliver Data Storage Cartridges to Various Locations for a One (1) Year Period, estimated cost \$116,000.00, Account 101-20000-623810  
  
                 **Recommended**
- 17      [10-1249](#)      Authority to advertise Contract 11-670-11 Preventive Maintenance and Repair Services for Debris and Pontoon Boats at Various Locations, estimated cost \$160,000.00, Account 101-66000-612790, Requisition 1313747  
  
                 **Recommended**
- 18      [10-1253](#)      Authority to advertise Contract 11-937-11 Repair Services for AC and DC Motors at the Post Digestion Centrifuge Building at the Stickney Water Reclamation Plant, estimated cost \$90,000.00, Account 101-69000-612650, Requisition 1312942  
  
                 **Recommended**
- 19      [10-1257](#)      Authority to advertise Contract 10-468-11 Furnish and Deliver Forty-Seven (47) Multi-Functional Photocopier Devices and a Four (4)-Year Repair Service, Supplies, and Maintenance Agreement at Various District Locations, estimated cost \$385,000.00, Accounts 101-27000-634810, 612810 Requisition 1313308  
  
                 **Recommended**
- 20      [10-1270](#)      Authority to advertise Contract 11-697-11 Demolition of Lake River Terminal and Other Derelict Buildings on District Property in Cook County, IL, estimated cost \$2,800,000.00, Account 901-30000-667220, Requisition 1312926  
  
                 **Deferred by Cynthia M. Santos**

**Issue Purchase Order**

- 21      [10-1258](#)      Issue purchase order to Rolta International, Inc. to Furnish and Deliver Renewal Licenses for OnPoint Software, Annual Maintenance and Technical Support, in an amount not to exceed \$22,500.00, Account 101-27000-612820, Requisition 1308508  
  
                 **Recommended**

- 22      [10-1261](#)      Issue purchase order and enter into an agreement with Bradley S. Waterman, Attorney at Law to represent the District in the matter of a United States Internal Revenue Service examination of the District's issuance of Build America Bonds in an amount not to exceed \$50,000.00. Account 101-30000-601170, Requisition 1313736

**Attachments:**      [P.O. Requisition 10.21.10.PDF](#)

**Recommended**

- 23      [10-1265](#)      Issue purchase order to YSI Incorporated, to furnish and deliver multi-parameter water quality loggers and ROX Optical Oxygen Sensors, in an amount not to exceed \$26,201.00, Account 101-16000-623570, Requisition 1312417

**Recommended**

- 24      [10-1275](#)      Issue purchase order and enter into an agreement with D. J. Wheeler Hydro Electric Services, Inc., to Provide Maintenance and Technical Support Services for Digital Governors at the Lockport Powerhouse, in an amount not to exceed \$65,090.00, Account 101-66000-612620, Requisition 1312952

**Recommended**

- 25      [10-1276](#)      Issue purchase order and enter into an agreement with Johnson Controls, Inc., to Provide Parts and Services to Maintain the Cardkey Security Access Control System at the Stickney Water Reclamation Plant and at the Mainstream Pumping Station, in an amount not to exceed \$220,000.00, Account 101-69000-612680, Requisition 1306463

**Recommended**

#### **Award Contract**

- 26      [10-1230](#)      Authority to award Contract 10-036-11 Furnish and Deliver Salt and Calcium Chloride to Various Locations for a One (1) Year Period, to Russo Hardware, Inc., in an amount not to exceed \$45,075.00, Account 101-20000-623130

**Recommended**

- 27      [10-1236](#)      Authority to award Contract 10-927-13 (Re-Bid), Services to Repair and Maintain Variable Frequency Drives in the Stickney Service Area, to Dreisilker Electric Motors, Inc., in an amount not to exceed \$90,000.00, Account 101-69000-612650, Requisition 1295113

**Recommended**

#### **Increase Purchase Order/Change Order**

- 28      [10-1245](#)      Authority to decrease Contract 06-614-11 Elevator Maintenance at Various Locations, to ACM Elevator Company, in an amount of \$18,219.73, from an amount of \$782,339.82, to an amount not to exceed \$764,120.09, Account 101-69000-612680, Purchase Order 5000681
- Attachments:**      [06-614-11.pdf](#)
- Recommended**
- 29      [10-1252](#)      Authority to increase Contract 09-641-11, Furnishing and Delivering Liquid Carbon Dioxide, and Maintaining the Carbon Dioxide Storage Tank and Feed System at the Stickney Water Reclamation Plant, to Linde LLC, in an amount of \$145,000.00, from an amount of \$600,000.00, to an amount not to exceed \$745,000.00, Account 101-69000-623560, Purchase Order 5001086
- Recommended**
- 30      [10-1262](#)      Authority to increase Contract 01-198-AD Demolition of Sludge Disposal Building and Rehabilitation of Pump and Blower House and Coarse Screen Building at the Stickney Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$139,006.92, from an amount of \$30,576,466.73, to an amount not to exceed \$30,715,473.65, Accounts 101-50000-612680, 401-50000-645680, and 645780, Purchase Order 5000961
- Attachments:**      [CO 01-198-AD](#)
- Recommended**
- 31      [10-1263](#)      Authority to decrease purchase order and amend the agreement with YSI Incorporated, to repair multi-parameter water quality monitors for two years in an amount of \$41,718.80, from an amount of \$116,805.00, to an amount not to exceed \$75,086.20, Account 101-16000-612970, Purchase Order 3061663
- Recommended**
- 32      [10-1264](#)      Authority to decrease Contract 02-010-3S (REBID) Evanston Intercepting Sewer Orrington Avenue Leg Rehabilitation, North Side Service Area, to Kenny Construction Company in an amount of \$79,635.25, from an amount of \$5,489,000.00, to an amount not to exceed \$5,409,364.75, Account 401-50000-645700, Purchase Order 5001122
- Recommended**
- 33      [10-1266](#)      Authority to increase Contract 91-177-CE Distributed Control System for Solids Processes at Stickney Water Reclamation Plant, Mainstream Pumping Station, and Other Remote Stations, Stickney Service Area, to Divane Brothers Electric Company, in an amount of \$697,205.00, from an amount of \$32,242,242.89, to an amount not to exceed \$32,939,447.89, Account 401-50000-645650, Purchase Order 5000978
- Recommended**

- 34      [10-1267](#)      Authority to increase Contract 04-824-2P Tertiary Filter Rehabilitation, Pump VFDs & Other Plant Improvements at the Egan, Hanover Park, and Kirie Water Reclamation Plants, to IHC Construction Companies, LLC, in an amount of \$57,166.96, from an amount of \$16,654,540.41, to an amount not to exceed \$16,711,707.37, Accounts 401-50000-645650 and 645750, Purchase Order 5000803

**Attachments:**      [CO 04-824-2P](#)

**Recommended**

- 35      [10-1277](#)      Authority to increase purchase order and amend the agreement for Contract 07-RFP-31, Outsourcing of Storage of District Records for a Three-Year Period, with GRM Information Services, Inc. in an amount of \$17,000.00, from an amount of \$134,304.00 to an amount not to exceed \$151,304.00, Account 101-15000-612490, Purchase Order 3051395

**Attachments:**      [Change order BL 10-21-10.pdf](#)

**Recommended**

- 36      [10-1302](#)      Authority to decrease Contract 10-611-11 Repairs and Alterations to Various Water Reclamation Facilities in the Stickney Service Area and Other Installations, to Anchor Mechanical, Inc., in an amount of \$2,410,000.00, from an amount of \$5,735,000.00 to an amount not to exceed \$3,325,000.00, Accounts 101-67000/69000-612600/612650, Purchase Orders 5001124 and 5001125 (*Deferred from the October 7, 2010 Board Meeting*) (*As Revised*)

**Attachments:**      [10-611-11 PO HISTORY 9 20 2010.PDF](#)

**A motion was made by Cynthia M. Santos, seconded by Debra Shore, that this Agenda Item be Deferred. The motion carried by the following roll call vote:**

**Aye:** 9 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

## Engineering Committee

### Report

- 37      [10-1268](#)      Report on change orders authorized and approved by the Director of Engineering during the month of September 2010

**Attachments:**      [Sept Change Orders](#)

**Recommended**

## Judiciary Committee

**Authorization**

- 38     [10-1227](#)     Authority to settle the Workers' Compensation Claim of Andrew Freeman vs. MWRDGC, Claim No. 09WC28417, Illinois Workers' Compensation Commission, in the sum of \$28,582.96. Account 901-30000-601090

**Recommended**

- 39     [10-1235](#)     Authority to file Release(s) of Lien for 2008 and 2009 Non-Compliance Enforcement Charges for Pioneer Plating Co., and authorize the General Counsel to take all necessary steps to release the liens and resolve this matter in accordance with the conditions set forth herein

**Recommended**

**Maintenance & Operations Committee****Report**

- 40     [10-1269](#)     Report on change orders authorized and approved by the Acting Director of Maintenance and Operations during the months of August and September 2010.

**Attachments:**     [Change Orders for Aug - Sept 2010.pdf](#)

**Recommended**

**Pension, Human Resources & Civil Service Committee****Authorization**

- 41     [10-1307](#)     Requesting the advice and consent of the Board of Commissioners to the appointment of Ms. Manju P. Sharma as the Director of Maintenance and Operations for the Metropolitan Water Reclamation District of Greater Chicago

**Attachments:**     [Attachment 10 14 10.pdf](#)

**Recommended**

**Real Estate Development Committee****Authorization**



- 42      [10-1271](#)      Rescind Board Order of May 6, 2010, authorizing and approving the entering into a contract for the purchase of 4.36 of unimproved land located at 3535 Oakton Street in Skokie, Illinois

**Recommended**

- 43      [10-1272](#)      Authority to issue a check payable to Material Service Corporation in the amount of \$264,843.00 as reimbursement of the District's pro rata share of the First Installment of the year 2009 Real Estate Taxes paid by it for the Lower West Lobe of the Thornton Quarry, Thornton Composite Reservoir, Project 77-235-2F (401-50000-645620)

**Recommended**

- 44      [10-1273](#)      Authorize issuance of a 39-year lease to the City of Chicago to build and operate a police outdoor firing range and other police training facilities on 33 acres of unimproved District land located at 2025 East 134th Street in Chicago and request for direction with respect to rent to be charged thereunder (*Deferred from the October 7, 2010 Board Meeting*)

**Attachments:**      [10-21-10\\_City of Chicago.pdf](#)

**A motion was made by Debra Shore, seconded by Kathleen Therese Meany, that this Agenda Item be Deferred. The motion carried by the following roll call vote:**

**Aye:**    8 -    Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**    1 -    Cynthia M. Santos

- 45      [10-1274](#)      Authority to execute Amendment 8 to the Army Corps of Engineers License DACW 35-3-95-2001, extending the District's right to use a portion of the Chicago Harbor Properties to moor its boats along the east-west wing wall of the Chicago River Controlling Works, west of the Old Coast Guard Station, and to maintain a boathouse for an additional four years, beginning January 1, 2011 and ending December 31, 2014. Consideration shall be a nominal fee of \$10.00

**Attachments:**      [10-21-10\\_DACW 35-3-95-2001.pdf](#)

**Recommended**

## **Stormwater Management Committee**

### **Authorization**

- 47      [10-1260](#)      Authority to execute Letter Agreement with Private Property Owner for installation of Mesh Silt Fence on fence line of private property located at 10808 South 76th Avenue, Worth, Illinois, and authorize the General Counsel to take all necessary steps to record the fully executed Letter Agreement with the Cook County Recorder of Deeds

**Attachments:**      [10-1260 attachment](#)

**Recommended**

**Approval of the Consent Agenda with the exception of Items: 14, 20, 36, 44, 48, 49, 50 and 51**

**President O'Brien called for a motion to accept the agendas for each Standing Committee that was convened. Moved by Gloria Alitto Majewski, seconded by Patricia Horton. President O'Brien called for any objections. No objections were voiced. Motion carried.**

## **Miscellaneous & New Business**

### **Motion**

- 48      [10-1225](#)      MOTION to approve dates for the regular Board Meetings of The Metropolitan Water Reclamation District of Greater Chicago to be held in the year 2011
- A motion was made by Barbara J. McGowan, seconded by Patricia Horton, that this Motion be Recommended. The motion carried by the following roll call vote:**
- Aye:**    8 -    Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Absent:** 1 -    Cynthia M. Santos

### **Resolution**

- 49      [10-1239](#)      RESOLUTION sponsored by the Board of Commissioners recognizing the Black Contractors United 29th Annual Awards Dinner
- A motion was made by Barbara J. McGowan, seconded by Patricia Horton, that this Resolution be Recommended. The motion carried by acclamation. Chorus of ayes - No nays**

### **Ordinance**

- 50      [O10-003](#)      Adopt Ordinance O10-003 An Ordinance authorizing the sale of up to \$500,000,000 General Obligation Capital Improvement Bonds, Limited Tax Series of 2010, of the Metropolitan Water Reclamation District of Greater Chicago, Cook County, Illinois, the execution of one or more bond orders in connection therewith, and the levy of a direct annual tax in an amount to pay the principal of and interest on said bonds

**Attachments:**      [Ordinance - FINAL.pdf](#)  
                                 [O10-003 brd letter](#)

**A motion was made by Gloria Alitto Majewski, seconded by Patricia Horton, that this Ordinance be Recommended. The motion carried by the following roll call vote:**

**Aye:**    8 -    Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**   1 -   Cynthia M. Santos

#### **Ordinance - User Charge**

- 51      [UC10-001](#)      An Ordinance to Amend the User Charge Ordinance of the Metropolitan Water Reclamation District of Greater Chicago

**Attachments:**      [UC10-001 Ordinance Att](#)  
                                 [Transmittal Ltr-UCO Amended for 10-21-10 Board Mtg.pdf](#)

**Deleted by the Executive Director**

#### **Executive Session**

*A motion was made by Kathleen Therese Meany, seconded by Barbara J. McGowan, that an executive session be held on the Committee on Real Estate to discuss one matter*

#### **Adjournment**

**The Committee of the Whole meeting of October 21, 2010 was adjourned at 12:35 pm**

**/s/ Jacqueline Torres**  
**Clerk**